

REMARKS

I. Introduction

In response to the Office Action dated December 1, 2004, claims 1-44 have been cancelled, and new claims 45-60 have been added. Claims 45-60 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Claim Amendments

The Applicants have canceled claims 1-44 and present new claims 45-60.

III. The Cited References and the Subject Invention

A. The Eyer Reference

U.S. Patent No. 6,401,242, issued June 4, 2002 to Eyer et al. disclose a method and apparatus for designating a preferred source to avoid duplicative programming services. Interactive Program Guide (IPG) data for television is delivered to integrated receiver-decoders (IRDs) in a decoder population via, for example, a satellite network. The IPG data provides scheduling information for global and local programming services which are carried via the satellite network as well as another network such as a CATV network or a terrestrial broadcast network. Each IRD is assigned to an IPG region using unit addressing. At the IRD, IPG data is filtered so that only the global data and the region-specific data for the IRD's IPG region is retained and processed by the IRD. Channel map data is also delivered to the IRDs so that bundles of IRD data can be filtered out using firmware filtering to discard program sources that are not present in the channel map. The IRD data which is retained after filtering is used to provide scheduling information via an on-screen display. A preferred source may be designated when there are duplicative channels on the different networks.

IV. Office Action Prior Art Rejections

In paragraphs (1)-(2), the Office Action rejected claims 1-44 under 35 U.S.C. § 102(e) as anticipated over Eyer et al., U.S. Patent No. 6,401,242 (Eyer). These rejections are moot in light of the amendments presented herein.

Claim 45 is directed to an embodiment of the invention that includes legacy and non-legacy networks broadcasting signals to legacy and non-legacy receivers. FIG. 7 provides both support and a visual reference for this claim:

702	704	712A	706	712B	708	712C	710	712D
SCID	Network 0 (Legacy)	Network 1 (Enhanced 1)	Network 2 (Enhanced 2)	Network 3 (Enhanced 3)				
1	Legacy MPG	Legacy MPG	Legacy MPG	Legacy MPG				
2	CAP	CAP	CAP	CAP				
3	PIP	PIP	PIP	PIP				
4	Legacy MPG's DIP	Legacy MPG's DIP	Legacy MPG's DIP	Legacy MPG's DIP				
5	SPG	SPG	SPG	SPG				
6	--	--	--	--				
7	--	--	--	--				
8	Tailored and Market MPG's DIP	--	Tailored and Market MPG's DIP	Tailored and Market MPG's DIP				
9	Tailored MPG	--	Unified MPG (Network 2 & 3)	Unified MPG (Network 2 & 3)				
10	video/ audio/ data	video/ audio/ data	video/ audio/ data	video/ audio/ data				
...								
0x4FF								
0x500	BARP/ announce	--	--	--				
0x501	WINK	WINK	WINK	WINK				
0x502	--	--	Foreign MPG (Tailored MPG from Network 2)	Foreign MPG (Tailored MPG from Network 3)				
0x504	--	--	--	--				
0x506	Foreign MPG (Unified MPG from Networks 2 & 3)	--	--	--				
0x506	--	--	--	--				
0x507	--	--	--	--				
0x508	--	--	--	--				
0x50A	Market 1 MPG	Market 1 MPG	Market 1 MPG	Market 1 MPG				
0x50B	Market 2 MPG	Market 2 MPG	Market 2 MPG	Market 2 MPG				
...								
0x522	Market 25 MPG	Market 25 MPG	Market 25 MPG	Market 25 MPG				
...								
0x608	--	--	--	--				
78D1	SPG	SPG	SPG	SPG				

FIG. 7

So far as the Applicants can ascertain, the Eyer reference does not disclose or suggest the notion of a legacy network transmitting first program guide information describing a first set of programs to legacy receivers on a first service channel, and to non-legacy receivers on a second service channel, and transmitting second program guide information describing a second set of

programs to non-legacy receivers on a third channel of the plurality of service channels. The Applicants therefore submit that claim 45 is patentable over the references of record. Claims 51 and 55 are patentable for the same reasons.

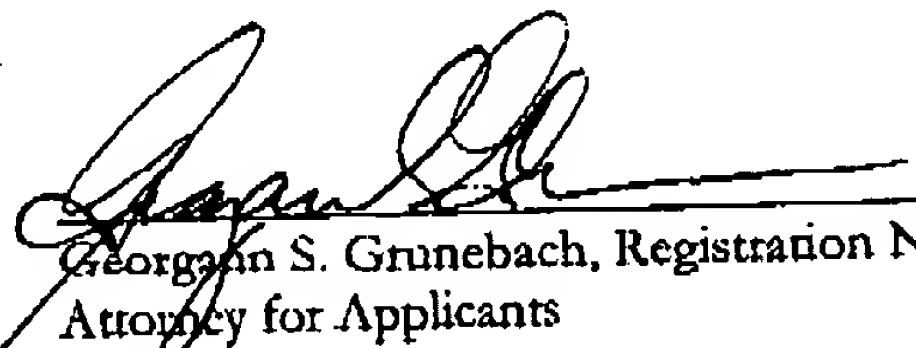
V. Dependent Claims

Dependent claims 46-50, 52-54 and 56-60 incorporate the limitations of their related independent claims, and are therefore patentable on this basis. In addition, these claims recite novel elements even more remote from the cited references. Accordingly, the Applicants respectfully request that these claims be allowed as well.

VI. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,


Georgann S. Grunebach, Registration No. 33,179
Attorney for Applicants

Date: February 25, 2005

The DIRECTV Group, Inc.
RE / R11 / A109
P.O. Box 956
2250 E. Imperial Highway
El Segundo, CA 90245-0956

Phone: (310) 964-4615